

MRS. HAMON'S SIDE RESTS ITS DEFENCE WITHOUT A SPEECH

State Refuses to Let Case Be
Sent to Jury, However,
and Court Adjourns.

CHARGE IS DELIVERED
Defendant's Right Waiver
to Answer Prosecutor Is
Complete Surprise.

BAR HAMON'S LETTERS
Sobs Shake Widow of Slain
Man, but Clara Is Unmoved
Throughout Day.

ANDOVER, Okla., March 16.—The defence in the case of Clara Smith Hamon, charged with the murder of Jake L. Hamon, Oklahoma oil and railroad man and politician, surprised the State and the court late today by waiving its right of argument and asking immediate submission of the case to the jury after H. H. Brown, special prosecutor, had completed the opening argument for the prosecution.

Court adjourned until tomorrow to give the State time to look into the law, as the proceeding was unusual. The motion by the defence came after the State had declined to let the case go to the jury without argument and after Judge Thomas W. Champion had given his instructions to the jury.

The dramatic case followed a day of comparative inaction. A few hours in the morning sufficed for the examination of the half dozen witnesses in rebuttal for the State and for argument on the admissibility of several letters written by Hamon to Clara Hamon. The court barred the communications and recessed until mid-afternoon for the preparation of instructions, which under the Oklahoma law may precede the giving of counsel.

Wife Cries, Prisoner Calm.
In his instructions the court defined the terms homicide and manslaughter of the first and second degrees, and pointed out that a dying statement was subject to the ordinary rules for determining the credibility of witnesses and that the person making such dying statement must have given up hope of recovery.

The jury was instructed that, if it brought a verdict of guilty of murder it should designate whether the punishment should be death or life imprisonment.

The court went to considerable length to explain the law on justifiable homicide, holding that the defence to be justified must have convinced the jury that she believed she was in imminent danger of losing her life or suffering great bodily harm and had used all reasonable means apparent to a reasonable person under the circumstances to avoid the danger.

The customary definition of reasonable doubt and direction to give the defendant the benefit of any reasonable doubt concluded the instructions.

During the reading of the charge to the jury, Mrs. Jake L. Hamon, who sat in her usual seat opposite Clara Hamon, cried silently. She kept her eyes closed tightly and choked back sobs. Tears rolled down her cheeks.

Clara Hamon sat beside her uncle, Ben Harrison, and was unmoved as Judge Champion read through the long charge.

Quotes Bible and History.
H. H. Brown, special prosecutor, in opening argument for the State, stressed that he had not been employed by the Hamon estate, nor Mrs. Hamon, the widow, to prosecute, but had been appointed by the District Judge.

He said he had no personal feeling in the matter and explained, turning to Clara Hamon and her relatives, that in the heat of battle lawyers said things they otherwise might not say.

This was interpreted as an apology to Mrs. Smith, the mother of Clara, to whom Mr. Brown referred yesterday as "the old woman."

Mr. Brown delved into Biblical and United States history for similes to point the way of duty to the jurors.

As he referred to Hamon's alleged dying statement to the Rev. T. U. Irwin, quoting Hamon as having said: "Well, I'm a sinner, but I'm not a bad man."

When the knowledge of what we represent, both to manufacturing interests and the consuming public, is fully known our business will be referred to only in the terms of the highest standards."

DIES DIGGING OWN GRAVE.
Man, 74, Fearful Attack Which
Ended Task in Cemetery.

HAMILTON, Pa., March 16.—Death from a paralytic stroke yesterday prevented Frank Marterilli from completing the digging of his own grave because known to-day. Friends said he often expressed fear he would not live much longer, and two days before he died he began digging his grave in the Precious Blood Cemetery.

He was 74 years old and came here thirty-three years ago from Buenos Aires.

COP HELD ON PERJURY CHARGE
Patrolman Joseph A. Higgins of 468 West Fifty-eighth street, was held in \$5,000 bail yesterday for the Grand Jury on a charge of perjury. He was arrested Monday at the direction of Magistrate Joseph E. Corrigan while appearing as a witness in an alleged holdup in the Bears Club, 132 Eleventh avenue, which took place February 24. He is attached to Traffic A.

BOSTON'S MAYOR, DISGUISED, IS SAMARITAN TO POOR BOY

Executive, Dressed as Down and Outer, Passes Night at
Wayfarers Lodge and Gets Job for Young Man
Who Offered to Chop Wood for Him.

Special Despatch to THE NEW YORK HERALD.
BOSTON, March 16.—Dressed as a down-and-out, Mayor Andrew J. Peters spent last night in the Wayfarers Lodge in Hawkins street, West End, and after getting up this morning and chopping wood for his breakfast departed unrecognized.

His adventure did not become known until he appeared at his office at City Hall about 10 o'clock to-day. He wore a battered slouch hat, a faded blue shirt and a badly stained raincoat. A policeman at City Hall, not recognizing him, halted him at the office door and barred the way.

"It's all right, I'm the Mayor," he said to the policeman. The latter looked sharply into Mr. Peters's face, almost dropped from amazement, and stepped aside.

The Mayor's purpose was to find just what kind of treatment down-and-outers were getting. On the whole, he declared, it is excellent.

It developed that a rather stiff clerk superintendent got his foot in it by intimating to the visitor that he didn't care about becoming acquainted with his kind, while on the other hand, a young fellow out of work got himself in decidedly right by offering to help the fast-tripping disguised official to chop his share of the wood. Mayor Peters made a much better job of it than he had a right to.

"Come to City Hall and inquire for Mayor Peters," I've got a pull at City Hall and may help you get a job.

"I stood in line at the lodge," said the Mayor, "and there were four men ahead of me. On going into the light I was a little shaky, but I saw in a moment that no one recognized me. I registered as John Stevens of New York, and received Check No. 63. More men con-

tinued to come in behind me. The clerk at the desk was too busy either to recognize me or care who I was.

"After registering, I took my number and went downstairs. Here we all stripped and our clothes were hung in the fumigating room and we all took warm baths. We then received an undershirt, our hats, socks and shoes.

"They served a good breakfast, which was excellent; bread, also excellent, and coffee, which was not very good. I had breakfast with the others, and then left with them. The elevator man in City Hall did not recognize me, although I said 'Good morning' to him. As a whole the Wayfarers Lodge is to be congratulated on the way it is run. The quarters are well kept and clean.

"I got interested in the young man who gathered up my wood. He offered to do the chopping for me, and no doubt he could have done a much better job. He had quite a story. He had been working in the back woods and had come to Boston in a box car. I told him I might be able to help him, that I had a pull with a man at City Hall, and asked him to come there at 2:30 this afternoon."

Mayor Peters, late this afternoon, got a position for the young man in a business house here.

STOKES NEARS END OF EVIDENCE CHAIN

To Complete Case To-morrow
and Await Action in Wife's
Counter Suit.

This hearing of testimony for the plaintiff in the divorce action brought by W. E. D. Stokes against Mrs. Stokes probably will be completed to-morrow before Justice Edward R. Finch in the Supreme Court, and an adjournment will be taken until March 21.

Chief counsel for Mrs. Stokes, is prepared to proceed with the testimony in his client's counter suit. This will not be until the arrival from San Francisco of Edward T. Wallace, named one of the correspondents by Mr. Stokes. Despatches from San Francisco quoted Mr. Wallace as denying the charges against him and stating that he had not seen Mrs. Stokes since her marriage.

The principal witness yesterday against Mrs. Stokes was Agnes Byers, a negro, 345 West Thirty-eighth street, who testified that on at least a dozen occasions she had seen Mrs. Stokes in Wallace's bedroom in his apartment in East Thirty-fifth street, where she was employed as a waitress in the tea room on the ground floor. She said that the first time she saw Mrs. Stokes in Wallace's bedroom was about Christmas, 1917.

"What time of the day was it?" she was asked.

"Between 11 in the morning and 2 or 3 in the afternoon."

"How did you happen to gain access to Mr. Wallace's bedroom?"

"I was ordered to take meals up to him."

"When you did so, as you say, to Mr. Wallace's bedroom, who was there?"

"Mrs. Stokes was in the room."

"Was any one else there?"

"Once or twice Mr. Wallace was there."

"What was Mrs. Stokes attired in?"

"She wore her underclothing, and once or twice she had a kimono on when she came to the door to let me in."

Joseph A. Thornton, janitor of the apartment house in 13 East Thirty-fifth street, testified that he had seen Mrs. Stokes in the building at least two dozen times; that she called him Joe, and that he had often summoned taxis for her from the Vanderbilt Hotel stand.

"BEST" EGGS 25 1-2 CENTS.
St. Louis, Mo., March 16.—Best eggs sold at 25 1/2 cents a dozen wholesale here to-day, the lowest for this grade here in several years, according to commission men. The quotation is 27 1/2 cents below the February 1 prices.

BADLY BATTERED TRANSPORT BOCKS

Stern Plates of the Madawaska
Ripped for 13 Feet by
Collision.

The army transport Madawaska, her stern plates ripped for a distance of 13 feet in the collision with the Shipping Board ship Inevitable, off Barnegat, N. J., Tuesday night, was brought into the harbor last night. Army officers in charge of the base at the foot of Fifty-ninth street, Brooklyn, where the Madawaska docked at 7 o'clock, saw to it that the stern plates were cut away from the vessel's injuries and the particulars of the collision with the utmost secrecy.

The passengers were whisked away from the base in automobiles, together with friends who had come to greet them, but from a civilian passenger the story of the crash off the New Jersey coast was obtained.

This was his story:

"There was a heavy fog, about ten or half past ten last night. We were then off Barnegat. We were struck astern on the starboard side, a hole above and below the water line being stove in the ship. There was considerable excitement but no panic among the passengers aboard the Madawaska when the collision occurred."

"Captain Robert A. Bartlett, who was master of the ship that took Peary and Stefansson on their Arctic voyages was in command of the Madawaska. He immediately ordered an S. O. S. sent out, and then sent some of the officers to ascertain the extent of the damage to the ship, and ordered the life boats swung out."

"Officers stood by the boats and assured the women they would be taken off the ship if it was found to be dangerous to have them remain aboard. The women conducted themselves splendidly. In the meantime the Inevitable had backed away, but stood by ready to render aid if needed. Capt. Joseph Rheinberg of the Inevitable ordered searchlights turned on the Madawaska, and sent some of his officers in a boat to ascertain just how badly she and the ship she had been damaged. He signalled Capt. Bartlett the extent of the damage to the transport."

"Men were sent into the hold of the Madawaska. A survey showed that hold No. 1 was flooded, but that the bulkhead was holding and that there was no water in any other of the compartments."

"The start up the coast to this port was made yesterday morning. The Inevitable, as well as a fleet of wrecking tugs, accompanied the Madawaska into port."

ASSEMBLY PASSES DUAL PORT BILL

Tammany Accused From the
Floor of Trying to Block
Measure.

THREATENS BIG REVENUE

New York-New Jersey Project
for Harbor Development Prob-
ably Will Win in Senate.

Special Despatch to THE NEW YORK HERALD.
New York Herald Bureau.
Albany, March 16.

Tammany is back of the fight being made to block passage of the port development bill for New York, Assemblyman Joseph Steinberg charged today on the floor of the Assembly, when the measure was passed by a vote of 115 to 23. The Tammany men stood alone against the project.

This is the second charge made officially in the State capital in the last two days that there is something wrong about pier leases and privileges along the New York water front. Gov. Miller's assertion made yesterday, that the New York city administration was trying to protect unfair pier leases and profits was backed up to-day in the Legislature.

One of the oldest and largest sources of revenue retained by Tammany in New York is its grasp on valuable pier franchises. Assemblyman Steinberg charged, Fourteenth Street does not care to have the terms of the leases disclosed, nor the names of the lessees known, as might be done under the port development plan.

Steinberg's attacks on Tammany brought a shout of disapproval and a chorus of hisses from the Democratic side. Speaker Machold had to pound hard for order before the Assemblyman could continue.

Charles D. Donohue, Tammany leader, charged that enactment of the bill carrying out the proposed New York-New Jersey development scheme would endanger dock properties and reduce the value of real estate on the water front. City officials are convinced, he said, that such a scheme is not in the interest of the municipality. The city administration has its own port development plan, he said, and should be allowed to carry it through.

"The organization the minority leader represents in this body can afford to oppose this bill, which would eliminate scandals such as have been uncovered from time to time in connection with New York's piers," Steinberg answered. "This plan would put the pier grafters out of business."

"What has Mayor Hylan done to relieve the harbor situation? Is it a case of that valuable dock leases have been issued to favorite sons for practically no revenue to the city? These favorite sons have sublet their dock privileges for large sums. Every one knows something about the dock scandals. Tammany naturally objects to letting go these dock privileges which have been one of its main sources of revenue. One of the chief reasons calling for an investigation of the city administration is this pier scandal."

Mr. Donohue answered that the Steinberg charges were merely loose talk and were absurd. Leases can be inspected and can be revoked. "The bill now goes to the Senate, where it will pass."

INDICTED CEMENT MEN PLEAD NOT GUILTY

Forty Released in \$5,000 Bail
Each.

Pleas of not guilty were entered yesterday by sixty-nine of the seventy-four corporations and all of the forty individuals who were indicted by the Federal Grand Jury on March 1, charged with violation of the Sherman Antitrust law in conspiring to monopolize the production and distribution of cement. Pleas were made before Judge John C. Knox in the United States District Court. Ben A. Matthews, special assistant to the Attorney General, appeared for the Government.

Judge Knox released the individuals in \$5,000 bail each, which each furnished. The defendants were allowed three weeks in which to change their tentative pleas if they so desired.

Five corporations which were indicted but did not appear through counsel will come into court to enter pleas within a short time.

Surprising what useful information there is in those little ads. In the Herald listed under Telephone Directory of Home and Business Needs. See classified section now.

NURSE RELEASED IN CRAWFORD CASE

Syracuse Grand Jury Makes
No Mention of Charges
Against Mrs. Lattimer.

CIVIL ACTION TO FOLLOW

Disposal of Certain Real Es-
tate and Personal Property
in Question.

Special Despatch to THE NEW YORK HERALD.
SYRACUSE, March 16.—The March Grand Jury, reporting to Supreme Court Justice Devendorf this afternoon, made no mention of its investigation of the case of Mrs. Ruth Crawford, police investigation of whose care at the hands of Mrs. Alice T. Lattimer, her nurse and cousin, resulted in Mrs. Lattimer's arrest and detention for the last twenty-four days.

Information of the Grand Jury action was passed to Martin Cadin, Chief of Police, by Frank Malpas, District Attorney, and Mrs. Lattimer was released. With her counsel, Erwin G. Nichols, she left the police station in an automobile. She will not return immediately to her Emma street home, but expects to remain a few days with friends to recover from the nervous ordeal of her detention.

Throughout her detention Mrs. Lattimer maintained she was the victim of a conspiracy and has insisted from the first that an investigation would prove her innocence. On leaving the station she told her lawyer the whole affair was the work of "meddlesome interlopers" and not instigated by Mrs. Crawford.

"I will continue to do my duty by Mrs. Crawford," she told her attorney, "if it takes every cent of the property available."

"The grave criminal charges made against Mrs. Lattimer have fallen and the motives that inspired them are now apparent," said Mr. Nichols. "Funds will be provided to care for Mrs. Crawford as soon as possible. Mrs. Lattimer, naturally, is unnerved by the attacks upon her."

"The Grand Jury action, it is believed,

THE COME BACK CLUB ACTS.

Seeks Incorporation to Help Dis-
abled Soldiers.

Motions were made yesterday before
Justice Erlanger in the Supreme Court
for the incorporation of The Come Back
Club of Columbia University, repre-
sented in court by A. R. Conlin of 122
Broadway, which proposes to help dis-
abled soldiers, sailors and marines by
maintaining dining, reading and club rooms
for their benefit, and to conduct such
other business as may be proper under
the law, but not for profit.

The directors, as named in the petition for incorporation, are John T. Edmonson of Hartley Hall, Columbia University; Daniel R. Edwards, Walter Leo Schmidt, Leroy N. Whitelaw, Richard Lief, Ward B. Gedney, William Arthur Shiveley, Sherman M. McNair, Edward J. Hickey, Arthur P. Thomas, George Schulman, Elmer M. Olson, Mark Temple, Benjamin E. Fry and Charles D. Council.

HARDING'S SUCCESS LETTER.

Indorses Stimulation Movement of
National Prosperity Bureau.

President Harding in a message to
John Tyrone Kelly, assistant director of
the National Prosperity Bureau, which
is conducting a campaign for improve-
ment of business conditions, said yes-
terday that he was thoroughly in accord
with the movement and wished it suc-
cess.

"Convinced as I am of the entire soundness of the nation's economic and industrial fabric," he said, "I feel that every reasonable effort to stimulate confidence and improve the whole people with assurance about the immediate future must be of advantage."

"With the hope that your success in this effort may equal your most ambitious wishes, I am,

"Most sincerely yours,
"WARREN G. HARDING."

RESCUED CREW LANDS Taken to Jacksonville After Brit- ish Schooner Burns.

JACKSONVILLE, March 16.—The crew of the 700-ton British schooner Frieda, of Port Granville, N. S., which was

burned near Bermuda last Thursday while bound for Argentina with a cargo of lumber, was landed here to-day by the Japanese freighter Hokoku Maru.

Capt. G. L. Berry of the Frieda said the fire started in a small engine room forward and spread so rapidly that the crew was about to take to boats when the freighter appeared.

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with
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